



28 AUG 2009

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In re Application of :
KYLER *et al* :
U.S. Application No.: 10/553,825 :
PCT No.: PCT/US04/12425 :
Int. Filing Date: 21 April 2004 :
Priority Date: 21 April 2003 :
Attorney Docket No.: 20030081 :
For: PROCESS FOR PREPARING HIGH :
PURITY TNT :

DECISION

This decision is in response to the papers filed 03 June 2009 which are treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181.

BACKGROUND

On 18 January 2008, a decision granting applicants' petition under 37 CFR 1.47(a) was mailed. However, applicants were requested to provide complete copies of the declarations executed by Andrew R. Wilson and Curtis Teague. Applicants were given two months to respond.

On 28 February 2008, applicant purportedly filed a response containing the declarations signed by Andrew R. Wilson and Curtis Teague.

On 20 May 2009, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909) stating that the above-captioned application was abandoned because applicants failed to respond to the petition decision mailed 18 January 2008.

On 03 June 2009, applicants filed the subject petition to withdraw the holding of abandonment which was accompanied by, *inter alia*, copies of the documents purportedly filed 28 February 2009 and a stamped postcard receipt for the 28 February 2009 documents.

DISCUSSION

The response purportedly filed on 28 February 2008 was not located in the above-captioned application. However, these papers have been located in the underlying international application, PCT/US04/12425.

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A review of these papers show that applicants identified the proper U.S. application number and attorney docket number on the cover page. Accordingly, the Office should have placed applicants' response in the subject application.

Applicants' response filed 28 February 2008 has been moved to the subject application. Applicants provide a complete copy of the declarations executed by joint inventors Mr. Wilson and Mr. Teague as required.

The declarations are in compliance with 37 CFR 1.497(a) and (b).

DECISION

Applicants' petition to withdraw the holding of abandonment is **GRANTED**.

The Form PCT/DO/EO/909 mailed 20 May 2009 is hereby **VACATED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 21 April 2004 under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 28 February 2008.

This application is being forwarded to the Office of Patent Application Processing for further processing in accordance with this decision.



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